# CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SIXTH HUNDRED AND TWENTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 30 July 1992, at 10 a.m.

President: Mr. Paul O'Sullivan (Australia)

GE.92-62492/4750B

The PRESIDENT: I declare open the 628th plenary meeting of the Conference on Disarmament.

At the outset I would like to extend a very warm welcome to the new representative of Poland, Ambassador Dembinski, on behalf of the Conference and on my own behalf and on behalf of the Australian delegation. Professor Dembinski is attending our plenary meeting for the first time. He has had an outstanding academic background as a professor of the Graduate Institute of International Studies here in Geneva, where he was responsible for the diplomatic studies programme. In fact, I understand that some of his former students have been associated with the work of our Conference. I wish to assure Ambassador Dembinski of the close cooperation of my delegation and, I am sure, of all delegations in the performance of its work. You are most welcome.

I also wish to inform you that immediately after this plenary meeting we will hold an open-ended consultation on the draft report to the General Assembly. I hope that will be a brief meeting, followed by a meeting chaired by the Special Coordinator for agenda item 9, "Transparency in armaments", Ambassador Zahran of Egypt, to consider the section of the annual report dealing with that item.

I have on my list of speakers, today first of all the Chairman of the Ad Hoc Committee on Radiological Weapons, to present the report of that Committee, followed by the representatives of Italy, Argentina, Viet Nam, Netherlands, Bulgaria and Cuba. I now give the floor to the Chairman of the Ad Hoc Committee on Radiological Weapons, Ambassador Batsanov of the Russian Federation, who will introduce the report of the Ad Hoc Committee contained in document CD/1159.

Mr. BATSANOV (Russian Federation): I have the honour today to present the report from the Ad Hoc Committee on Radiological Weapons on its work during the 1992 session, before you now bearing the document symbol CD/1159. The report is a straightforward description of how the Ad Hoc Committee organized its work this session and does not enter into substantive discussion of the issues that fall in its purview. Instead, as has been done in the past, the report attaches the draft treaty text of the convention banning radiological weapons and the possible elements of a convention prohibiting attacks against nuclear facilities. These two treaty texts were reviewed this session - in fact, during the first two parts of this session - under the able guidance of Mr. Dimitrijevic of Yugoslavia and Mr. Ausman of Canada. The Ad Hoc Committee owes them both a debt of gratitude and I wish to thank them for their efforts.

The work of the Ad Hoc Committee, as is the case for other committees, did not receive as much attention as would have been desired this year, owing to the increased workload placed on delegations participating in the chemical weapons negotiations. However, at the same time it must be noted that little progress has been able to be registered in both tracks over several years

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now. The draft convention prohibiting radiological weapons is at an advanced stage and was even improved slightly at this session, but the basic provision governing the scope and definition of biological weapons remains unresolved. The possible elements for a convention banning attacks against nuclear facilities saw only a slight modification in the text this session, but again the fundamental question of what facilities would fall under the protection of the convention remains open.

It is in this light that the Chairman of the Ad Hoc Committee suggested that there be a change in the standard recommendation for the Ad Hoc Committee to be re-established in 1993. My suggestion, however, was modified into the form that is before you in the report. The Ad Hoc Committee recommends that the Conference re-establish it at the beginning of 1993, but, in a new development, the Ad Hoc Committee also recommends that the Conference give guidance to it in reviewing its organization of work with the aim of fulfilling the mandate that it will be given next year. It is in the wisdom of the Conference to seek the ways to give the Ad Hoc Committee the guidance that all delegations seem to feel the Committee needs in order to overcome the log-jam that is holding up progress. Needless to say that my own view is that this item should be reviewed in the overall review that the Conference might be willing to undertake to improve its effectiveness. With that I shall conclude my remarks on the report of the Ad Hoc Committee on Radiological Weapons and commend it to the Conference.

(continued in Russian)

In conclusion, Mr. President, I would like to say literally two words as Russian representative since I am taking the floor for the first time during your presidency. I would like wholeheartedly to welcome you to this post at this exceptionally important and crucial time in the work of our Conference. That is, of course, above all with the phase in which the negotiations on chemical weapons now find themselves. We all know the contribution that has been made by Australia, by the Minister for Foreign Affairs of Australia, by yourself as Australian representative to these negotiations and we expect that under your guidance at this time the Conference will successfully discharge the tasks that await it during the period of your presidency.

The PRESIDENT: I thank the representative of the Russian Federation and Chairman of the Ad Hoc Committee for his statement and for the kind words addressed to the chair. If I may, I should also like to congratulate him on the early conclusion of the work of the Ad Hoc Committee. I intend to put the report just introduced by the Chairman before the Conference for adoption at our next plenary session on Thursday, 6 August. At the same time I hope that the two other subsidiary bodies still considering their reports would be able to adopt them soon.

I now give the floor to the representative of Italy, Ambassador Negrotto Cambiaso.

Mr. NEGROTTO CAMBIASO (Italy): Mr. President, I wish at the outset to express on behalf of my delegation the most sincere congratulations to you for your assumption of the presidency of the Conference on Disarmament in the current crucial phase of its history. It is a significant circumstance that you, the distinguished representative of Australia, a country which has devoted so much energy to the achievements of this Conference, are called at this moment to preside over our activities. I am confident that under your capable guidance this body will be able to attain the goals that are finally in its reach and create the premises for its future role in an evolving international environment.

I would like to seize this opportunity to welcome all the new permanent representatives and colleagues who have joined us since I last took the floor in the CD Plenary, as well as to wish all the best to those distinguished colleagues and friends who have left the CD in the meantime.

Never before has the Conference on Disarmament been so close to the achievement of one of the main purposes for which it was created, the possibility, now within reach, to conclude swiftly our collective efforts for the completion of a draft multilateral treaty aiming at a comprehensive ban on chemical weapons. Such an opportunity, pursued intensively by all of us for so many years, should not be wasted. Too much is at stake. Let me therefore pay first of all a special tribute of gratitude for the untiring efforts and resolve displayed by Ambassador von Wagner of Germany and by his delegation and Government in the fulfilment of the mandate that the CD itself, with an unprecedented degree of cohesion and determination, entrusted to them in March this year. The fruit of such efforts has been recently presented to us and is now in the form of a draft text of a Convention, in working document WP.400/Rev.1.

My delegation welcomes such a text. It contains, on the whole, provisions agreed by consensus. We do not regard it as the result of personal and biased considerations, but rather as a proposal of true compromise, based on an intensive and prolonged collective search for common ground - even within Groups themselves - between sometimes very different and apparently irreconcilable positions and perceptions on crucial issues.

WP.400/Rev.1 is not perfect. Like others, the Italian delegation does not consider the draft to reflect sufficiently a number of aspects not necessarily related to specific national interests with regard to disarmament, but which we believe would better promote the future itself of the Organization. I will refrain from enumerating them at this stage of the negotiations. They could be traced back to one basic consideration underlying our share of expectations not entirely met by WP.400/Rev.1. I refer to the degree of supranationality which constitutes in our view the most innovative feature of the Convention.

On challenge inspections, for instance, we would have preferred a greater role and more discretionality for the inspection team, who will represent on the ground the international community, in what is the most delicate and

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concrete task entrusted to the Organization. Negotiations on article IX drifted progressively away from the initial, perhaps too idealistic concepts of intrusiveness and deterrence, considered by many indispensable to foster confidence in States parties' security perceptions. In our opinion, too many protections in favour of the inspected State party have found their way into the text.

We would have preferred shorter time-frames prior to access to the inspected site, more stringent provisions on securing the site, less subordination of "managed access" procedures to the sole consent and approval of the inspected State. Greater reflection could have been given to the precious experience acquired from national trial challenge inspections, which led for instance to the identification of the so-called "random selective access" techniques.

For the sake of protecting the credibility of the basic mechanisms of such an extreme but fundamental instrument of verification, we were prepared to pay a certain price in terms of accepting some limitations on the number of challenge inspections to be carried out within a given time, so as to reassure States parties from excessive and unjustified targeting. This "trade-off", however, did not gather sufficient support.

Italy believes it is the fundamental right of all those undertaking the cumbersome obligations of the ban - including, inter alia, financial commitments - to be able to rely upon an immediate process of verification of any doubt of compliance. Confidence and transparency are in fact at the very heart of any security and disarmament agreement. We in Europe have accepted automatic and most intrusive inspections on our territories in the framework of other disarmament treaties, and we do not regret it. All the more so, when an international organization, neutral and "super partes", is created for that purpose. This is why, for instance, the initial involvement of the Executive Council at the beginning of a challenge inspection, as foreseen in the draft Convention, represents, in the view of my delegation, a limit beyond which not only the fundamental right of signatories to the verification of compliance could be jeopardized, but the very capacity of the Organization to comply with its tasks without any kind of pending uncertainties would be endangered.

Also with regard to the other fundamental element of the verification regime, inspections of chemical industry, more stringent provisions could have been adopted: the overall regime of article VI, Verification, appears somewhat fragile to us.

Preventing misuse of technology and equipment for purposes prohibited by the Convention should apply evenly worldwide to the entire chemical industry and not on a selective basis only to areas of greater concentration of industry. No areas of the world should be free from the deterrence provided by the provisions on verification of industry, because these provisions are there to strengthen the credibility of the Convention and reassure States parties about compliance.

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In particular, we cannot conceal a certain disappointment at the too narrow definition of the so-called "capable" facilities. In Schedule 3 inspections we have noted that, according to WP.400/Rev.1, the extent of access to be granted to the inspection team to other parts of the plant-site for clarification of ambiguities has been left totally to the discretion of the inspected State party. In our view, managed access procedures should have been included for the rest of the plant-site too.

Our "cahier de doléances" is related also to other parts of WP.400/Rev.1. I will not dwell on those.

It is always a difficult task to reconcile differences in analyses and diverging perceptions relating to security of States by means of unified approaches acceptable to all. In particular, in our negotiations we have witnessed a basic conflict between those who, for the protection of their security interests, were wiling to rely on an international organ entrusted with wide and effective powers of investigation and those who, rather, were essentially concerned with the protection of their most sensitive facilities or, simply, of their own domestic privacy as a reflection of a given political or historical reality. The basic question at this stage is whether WP.400/Rev.1 can be considered as a compromise that would not, at the end of the day, endanger essential security interests. We firmly believe the draft Convention in no case jeopardizes the security interests of any State.

For these reasons, the Italian Government is ready to join all those who have so far indicated their readiness to endorse WP.400/Rev.1 as a compromise text, a text providing a concrete opportunity to live up, within the prescribed time-frames, to the political mandate entrusted to us by the General Assembly. We are encouraged to note that our assessment is being shared by a large majority of States. This does not exclude readiness on our part to actively search in the coming days, within the deadline of 7 August, for any possible improvement, on the basis of consensus, to the draft Convention.

Futhermore, we expect that the future Convention will be rewarded by universal adhesion. It is in fact disclosing in a yet imperfect and preliminary way, but with a scope unprecedented for a global security agreement, a whole new set of competences entrusted to organs of the international community in order to consolidate a framework of precise, binding and verifiable rules.

We do not see how, without the gradual establishment of such multilateral "security nets" across the world, we could prevent either single States from relying on their own national means as the sole way of monitoring compliance or the United Nations from being forced too often to resort to extreme measures in order to restore the rule of international law.

Italy joins those who believe that we have come to the moment of truth for the conclusion of the chemical weapons negotiations and feels all the responsibility of not missing this probably unique opportunity. The

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conclusion of the ban on chemical weapons will have a decisive impact on the future of the CD. Thought-provoking evaluations and ideas for the "post-chemical-weapons era" are already being aired in this chamber. I am grateful to all those colleagues who are offering such reflections and, while associating myself with their expectations, I hope we may all soon have the opportunity to concentrate on such a promising approach.

The PRESIDENT: I thank the representative of Italy for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Argentina, Ambassador García Moritán.

Mr. GARCIA MORITAN (Argentina) (translated from Spanish): Mr. President, I should like to extend to you the particular satisfaction of the Argentine delegation at seeing you presiding over the Conference on Disarmament. You are a diplomat of acknowledged professional competence and this has been clearly demonstrated inter alia through your personal efforts and the various functions you have exercised in the bureau for the negotiations on the Chemical Weapons Convention, personal efforts which, I should like to emphasize, we value highly and have helped to move the negotiations forward significantly. I am certain that your presidency will give an impetus to the final hours of the negotiations on an instrument whose conclusion is already virtually a reality.

Thank you as well for the tireless efforts of our colleague the Chairman of the Ad Hoc Committee, Ambassador von Wagner of Germany, to whom we are very grateful for the devotion, transparency and equanimity with which he exercises his high and delicate office.

The aim of my statement this morning is fully to support the draft Convention submitted by the Chairman of the Ad Hoc Committee on Chemical Weapons which is contained in document WP.400/Rev.1. As I had occasion to say within the limited framework of the Ad Hoc Committee on 26 June last, for my delegation this draft is the minimum that can be permitted if the Convention is to continue to be defined as a treaty of real significance. In the view of my delegation, some of the amendments that have been submitted to its text would unnecessarily, I would almost say dangerously, weaken its articles, especially as regards its verification system, and speaking in all frankness, I wonder what would then be the advantage of acceding to a Convention that did not adequately meet elementary concerns of global security. I think that worse than the lack of security would be the illusion of security that we would be creating.

Argentina, like others in this negotiating chamber, has its list of wishes left unfulfilled and aspirations curtailed for the sake of consensus. We, like many others, would have wished to see a stronger system of challenge inspection, without so many ways for the inspected State to complicate the work of the international inspectorate. We would have also wished to see a less ambitious and costly system for verification of the chemical industry. We are also concerned that the order of destruction might be altered and we are not entirely convinced of the advantages of incorporating the concept of

(Mr. García Moritán, Argentina)

conversion in the instrument. I could go on like that with a long list of issues, but I don't think it is necessary as my delegation has made its views known on several occasions. Documents such as the Mendoza Declaration are clear evidence of our objectives and purposes at this final stage of the negotiations.

What I would like to stress is that everybody, absolutely everybody around this table, has made important concessions. And we have done so because, I believe, that we consider that the security of one and all will be increased once this Convention enters into force. Of this we are convinced.

I trust that this last stage in the negotiations will be truly the last and that very soon we shall be able to devote ourselves to the tasks of the preparatory phase. Argentina is also confident that it is possible for the Conference to submit a consensus draft convention to the General Assembly within the next few weeks. We are prepared actively to contribute to that end between now and 7 August.

We should endeavour to achieve that objective, but without forgetting that, as this body's precedents indicate, it is not the main goal in the hierarchy of the objectives and priorities of the Conference on Disarmament. What is is to have a sound and effective treaty that is very hard to breach.

The PRESIDENT: I thank the representative of Argentina for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Viet Nam, Ambassador Nguyen Luong.

Mr. NGUYEN LUONG (Viet Nam) (translated from French): Mr. President I have the honour and privilege of congratulating you upon your assumption of the presidency of the Conference on Disarmament and to wish you every success in your important duties.

I shall confine my statement to a presentation of the views of Viet Nam on the draft Convention on Chemical Weapons and more specifically on certain points which require further in-depth exchanges of views in order to achieve a consensus acceptable to all and reflecting in an equitable and balanced fashion the convergent interests of an ever more interdependent world. Of course, these are points to which my country attaches great importance and in which its interest is unflagging, especially now, in view of its commitment to work for the development of an international political environment conducive to its economic and social development.

With respect to the draft Chemical Weapons Convention, it gives me great pleasure to commend all those, particularly the Chairman of the Ad Hoc Committee on Chemical Weapons, who contributed to the preparation of document CD/CW/WP.400/Rev.1. In view of its history of struggle for national independence, Viet Nam welcomes all efforts to prepare a convention on chemical weapons that ensures its own observance and application by safeguarding the legitimate interests of the developing countries.

(Mr. Nguyen Luong, Viet Nam)

At first sight this logic may appear rather contradictory, but its negation often leads to pessimism as expressed in phrases such as "delicate balance" or "now or never". Between viability and rapidity, we must, I think, choose the possible that will lead to universality.

In other words, even though my delegation considers document CD/CW/WP.400/Rev.1 as a monumental piece of work, it is not yet a finished product, something that cannot be improved or that is taboo and must not be touched because of its fragility. Having said this, I should like to express the complete support of Viet Nam for the amendments tabled by 14 countries in document CD/CW/WP.417.

The most sensitive point for Viet Nam is the mentioning of herbicides as means of warfare in the body of the draft of the convention. Everyone will remember that there were footnotes to articles I and II of the draft. With document CD/CW/WP.400/Rev.1 a metamorphosis has occurred and it can be seen in the preamble, in wording devoid of any obligation.

Reference has been made to the ENMOD Convention. Viet Nam is a party to that Convention, to which 55 States are currently parties and 17 signatories. Viet Nam cannot accept the viewpoint whereby reference can be made to this Convention with respect to the use of herbicides as a means of warfare because no article, no paragraph of that Convention deals with this issue of the use of herbicides as a means of warfare.

The herbicides used in the southern part of Viet Nam in high concentrations and over a wide area on several occasions during the Viet Nam war are certainly chemicals and among them Agent Orange contains dioxin. Living beings and nature in the regions subjected to the spraying are feeling the effects of this use of herbicides in Viet Nam even today. I use the words "living beings" because it is not just Vietnamese civilians who are affected but also each side's belligerent armed forces. Scientists the world over have studied dioxin and Viet Nam veterans have in-depth knowledge of this subject. It is my firm conviction that the draft Convention would gain in viability and universality by incorporating a reference to the use of herbicides as a means of warfare in article I and consequently in the new subparagraph (b) to article X, paragraph 7, and in an addition to part XI, paragraph 1, as proposed in document CD/CW/WP.417, pages 1, 7 and 19. The delegation of Viet Nam, in associating itself with the amendments proposed by the 14 countries in WP.417 welcomes the position taken by Sweden, Indonesia and Cuba advocating the explicit reference to the prohibition of the use of herbicides as a means of warfare in article I of the Chemical Weapons Convention because such a position merely reflects an undeniable truth, a responsible attitude, a resolve to prevent abuses in the use of toxic chemicals for purposes of war.

With respect to verification my delegation will confine itself to a general comment. Modern-day chemistry is the product of high technology and while the borderline between the civilian and military applications is easily

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recognizable in the developing countries, in the case of industrialized countries it is often indistinguishable even though it is palpable. Everything depends on the interests at stake or the good will of the country concerned.

That is why verification, though necessary, even imperative in specific circumstances, should not serve as a pretext to check all chemical production and trading activities, to gain access to confidential technological information or impede or condition the transfer of technology. Challenge inspections should be conducted with respect for national sovereignty and the treatment of abuses should not be confined to financial implications, as stated in article IX, paragraph 23. Instead the deterrent effect could be obtained by, for example, the suspension for a specific period of the right to request an inspection or to participate in it. To that end the amendments of the group of 14 countries to article IX represent a contribution to the establishment of a viable balance.

Those are a few opinions my delegation wished to contribute in order to further discussion on the pending issues.

Before concluding I should like to thank the Ambassador of Australia, His Excellency Mr. Paul O'Sullivan, for having distributed the declaration of the Third Regional Seminar on Chemical Weapons, held in Sydney last June, to which Viet Nam fully subscribes.

The PRESIDENT: I thank the representative of Viet Nam for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of the Netherlands, Ambassador Wagenmakers.

Mr. WAGENMAKERS (Netherlands): Mr. President, it is a great pleasure for me to salute you in your high office. I extend to you the warm congratulations of the Netherlands delegation upon your assumption of the presidency of the Conference on Disarmament. The Australian efforts to make the world a more secure place are well known. Your country has a proud track record in this respect. All of us remember its latest expression, the tabling by the Australian Foreign Secretary of a draft CW Convention on 12 March last. I express the hope that the jewel in your crown will be constituted by agreement in the Ad Hoc Committee on Chemical Weapons on the conclusion this month of the long overdue Chemical Weapons Convention.

I would be remiss if I did not use this opportunity to pay tribute to the great presidency of your predecessor, Ambassador Roberto García Moritán. He steered us ably and effectively through an important period of the work of the Conference on Disarmament.

Furthermore, I would also like to extend a cordial welcome to new colleagues who have joined us: Ambassadors Sir Michael Weston of the United Kingdom, Yoshitomo Tanaka of Japan, Bernard Goonetilleke of Sri Lanka, Don Nanjira of Kenya and Ludwik Dembinski of Poland.

(Mr. Wagenmakers, Netherlands)

Some weeks ago the Ad Hoc Committee on Chemical Weapons took, by consensus, a decision of considerable importance, in particular for the Netherlands. The Committee decided that the future Organization for the Prohibition of Chemical Weapons under the Chemical Weapons Convention would be seated in The Hague. As a practical consequence, the Preparatory Commission and and its staff will also be based in The Hague.

You can imagine, that the Netherlands feels honoured by this decision. The outcome of the intensive deliberations on this subject, organized and led with great skill and impartiality by Ambassador Kamal of Pakistan, bestows on us a heavy responsibility. I am grateful for the confidence delegations have placed in their Netherlands colleagues. My Government and the City of The Hague will gladly take up the challenge to provide the PrepCom and the future Organization for the Prohibition of Chemical Weapons itself with all their needs, in accordance with the offer made. The competent authorities are now in the process of consultations on how best to get things up and running. I can announce that practical preparations have started in The Hague, enabling the PrepCom to start its work early next year.

The decision on the location of the seat of the Organization was not taken lightly. An orderly and clean selection procedure was followed, with clear presentations and offers made by the three competing candidates. I would like to use this occasion to express sincere gratitude and respect to the Governments of Switzerland and Austria for their fair attitude and cooperation, enabling the emergence of a consensus decision on such a sensitive matter.

In June, a first training course for potential future chemical weapons inspectors was held in the Netherlands. Ten technicians from developing countries, including several from non CD-member States actively participated in this "try-out" course. They all showed great eagerness to learn as much as possible from the course. A report of the proceedings will soon be presented to the Ad Hoc Committee. It stands to reason that one would build upon the experience gained for future courses. In this connection it would seem useful to coordinate the Netherlands efforts with those of other States already organizing or contemplating courses for potential future inspectors and analysts, in particular for candidates from developing countries.

Over the years we have spent quite a few moments in the Ad Hoc Committee on Chemical Weapons to get our treaty right. We have travelled a long distance. It seems that now, at last, we are close to the end of our efforts.

The Netherlands delegation is grateful for the so-called "June Paper" (WP.400/Rev.1) This paper came about thanks to the untiring efforts of the Chairman of the Ad Hoc Committee, Ambassador von Wagner, who successfully built on structures drawn up by the preceding chairmen and the untiring efforts of the German delegation as a whole.

(Mr. Wagenmakers, Netherlands)

On substance, the Netherlands delegation would have preferred a stronger challenge regime than the one that is now contained in WP.400/Rev.1 In particular, the procedures initiating challenge inspections are not very satisfactory and they weaken this important part of the verification regime. Ambassador Negrotto Cambiaso of Italy just gave a detailed overview of imperfections to be found in the draft CW Convention text. I endorse his analysis. However, after having considered all parameters, the Netherlands delegation is willing to accept the compromise text as suggested by the Ad Hoc Committee's Chairman and embodied in WP.400/Rev.1.

The Netherlands delegation is, of course, willing to listen to others but may I be permitted to emphasize that, like others, my delegation had problems too. So, considerable restraint in re-opening discussions seems called for. WP.400/Rev.1 represents for 90 or 95 per cent a consensus which was reached after years of negotiations. It comprises many elements suggested by colleagues who now work in the format sometimes referred to as the G-14. In my view we should, all of us, be very careful not to bring in elements which are known to be unacceptable to others. Otherwise we risk disturbing the delicate balance achieved in the draft convention in front of us.

The two main criteria we should apply when considering making new proposals are: can we still improve the text in relation to protecting national security needs and promoting the security needs of the international community? If on that basis other delegations can be convinced of the usefulness of modifying the text of the draft convention and consensus can be achieved on such an amendment, so be it. If not, then restraint should prevail. In this spirit, my delegation approaches and will continue to approach last-minute proposals made by several delegates and a group of delegations.

My delegation has carefully weighed the pros and cons of the present text and, despite some disappointments on, inter alia, the part that I mentioned is prepared to go along with WP.400/Rev.1

The PRESIDENT: I thank the representative of the Netherlands for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Bulgaria, Ambassador Dichev.

Mr. DICHEV (Bulgaria): Mr. President, as this is the first time I take the floor under your presidency, let me at the outset congratulate you on your election to this high responsible office. I wish a most successful outcome to the year-long work of this forum now under your able guidance. Such an outcome would not be only a deserved recognition of Australia's significant contribution to chemical weapons ban negotiations, but also of your personal merit in this multilateral field.

I take this opportunity to convey my congratulations also to the new leaders of the Japanese, United Kingdom, Sri Lankan, Polish, Cuban and Kenyan delegations. These fresh reinforcements to the CD will help us a lot, I am sure of it, for the successful conclusion of the Chemical Weapons Convention.

(Mr. Dichev, Bulgaria)

As to myself, I will try to be rather concise today, because a great deal has been said already on the two issues I wish to touch upon. I have in mind the draft Convention on Chemical Weapons, and the prospects for the CD to survive as an institution by itself.

A few words now on the first main issue. My delegation adheres to the view that it is hardly necessary any more for the CD to continue to debate whether or not to have a Chemical Weapons Convention. We think that a consensus exists in this regard among CD member States, a fact which is of utmost importance. As to the question when the CD should finish drafting the Convention's text, my delegation holds the view that the answer to it lies in resolution 46/35-C, adopted by the United Nations General Assembly, and I quote, "The General Assembly of the United Nations strongly urges the CD, as a matter of the highest priority, to resolve in the forthcoming months outstanding issues so as to achieve a final agreement during its 1992 session".

May I recall in this connection that in a month's time the CD will have closed its 1992 session. Subsequently, there we have the answer we need, in other words the drafting of the Chemical Weapons Convention should be over within the next few weeks. In practical terms this means within the first days of August, so that we may take action as required to submit the draft Convention's text to the forty-seventh regular session of the United Nations General Assembly in New York this year.

In the modest opinion of my delegation, it has become very important at this stage to clarify the matter whether or not the text submitted by my distinguished colleague Ambassador von Wagner could be replaced by another text, though not just any text, but one that would enjoy 100 per cent support and admiration on the part of all CD member States. No text is perfect. My delegation considers that such a text is impossible to work out. Document CD/CW/WP.400/Rev.1 is the crowning result of enormous efforts exerted in the negotiations by all delegations, and especially by the Chairman of the Ad Hoc Committee, Ambassador Adolf Ritter von Wagner of Germany.

This text has finally seen the day after so much concession and compromise by all parties concerned. The still fragile consensus that unites us can hardly serve as a foundation for new proposals. The idea for absolute perfection of a given text, the text of the Chemical Weapons Convention in the case that concerns us all, may be rather attractive, but in so far as the chemical weapons ban negotiations are concerned such an idea may well become a trap to miss an historic opportunity.

The Bulgarian delegation fully sides with Ambassador Hyltenius, who declared at a plenary meeting that the "negotiations on the Chemical Weapons Convention have now reached a stage where they have become a question of now or never". At the same time, we cannot but point out that some of the proposals of the 14 countries make a lot of sense; therefore my delegation is ready to join a consensus solution on them.

(Mr. Dichev, Bulgaria)

According to us, the question which each CD member State should solve for itself is whether document WP.400/Rev.1 infringes dramatically in one way or another upon its national security in its various dimensions. If the answer is no, then it would be logical to assess this document positively. Such is, by the way, the assessment of my delegation.

Bulgaria assesses document WP.400/Rev.1 as a sensible compromise which does not harm its national interests. Like a number of other States which do not possess chemical weapons, Bulgaria could have invoked several reasons to raise pretensions, for instance vis-à-vis the time periods for destruction of chemical weapons, the precise wording of issues of economic and technological development, and on specific financial solutions for the future international Organization, etc. Having said this, we wish to state that in such a delicate field as that of the draft Chemical Weapons Convention, it is practically impossible to achieve an ideal treaty.

My delegation supports document WP.400/Rev.1 in its entirety and submits that it represents the draft of a solid international legal instrument, one that has the potential to achieve its noble objectives.

Bulgaria wishes to reaffirm its intention to be among the first participants of the future Convention, which prohibits chemical weapons on a truly global scale. Should this Convention be adopted, my country will promptly initiate procedures to ratify it.

In conclusion, I should like to come back to the beginning of my statement where I mentioned my intention to speak briefly on a second main issue, namely the efficiency and the right to existence of the CD as an institution. The Bulgarian delegation is convinced that the solution to this second issue is directly linkable to the successful conclusion of the first one. If the CD is able to conclude the CWC by late 1992 by adopting it at the highest possible level, as was proposed, then there would be no doubt that the CD has a future, that it has in store before it lots of serious and responsible work to do on other conventions, conventions that would be of major importance for the security of the planet we all live in in this nuclear age.

The PRESIDENT: I thank the representative of Bulgaria for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Cuba, Ambassador Morales.

Mr. MORALES (Cuba) (translated from Spanish): May I express the great satisfaction and the signal honour I feel on this, the first occasion for me to take the floor at a meeting of the Conference on Disarmament. From our Foreign Ministry in Havana we have been following closely the course of the discussions on the items in the agenda of the Conference and it is a privilege for me to be able to express Cuba's views on the current stage of the negotiating process for the draft Convention on the Prohibition of Chemical Weapons, and on some issues which we deem essential for the future work of this forum and which will have to be the subject of our special attention in the coming months.

(Mr. Morales, Cuba)

I should like to take this opportunity to congratulate you, Mr. President, on your appointment as President of this Conference and to reiterate the readiness of the Cuban delegation to assist you in the fulfilment of the high office we have assigned to you.

The negotiations on a draft convention on the prohibition of the development, production, stockpiling and use of chemical weapons and on their destruction have, it seems, entered their final stage. Document CD/CW/WP.400/Rev.1 introduced by the Chairman of the Ad Hoc Committee on Chemical Weapons, Ambassador von Wagner, is the result of a laudable effort made by him personally along with a group of colleagues, assistants and the secretariat, and reflects a large number of ideas, suggestions and proposals from the majority of the countries that have been actively participating in the negotiations on this international instrument. We have within the framework of the Ad Hoc Committee on Chemical Weapons agreed to make further efforts to meet the just concerns still outstanding in respect of this document and to consider these concerns in an equal manner and on an equal footing with the amendments subjected to document CD/CW/WP.400. I should like at this meeting of the Conference to reiterate the readiness of my Government to exert all necessary efforts to achieve a balanced convention reflecting the interests and aspirations of all members, as indeed of the other countries that have been participating in the negotiations on this draft convention.

As recognized and reflected in the relevant reports of the Ad Hoc Committee on Chemical Weapons, document CD/CW/WP.400/Rev.1 requires essential adjustments to turn it into what we all want - in other words, a consensus document supported by all members of the Committee, and not just by a group of them, so that it can be adopted by the Conference and subsequently submitted to the General Assembly for its consideration. We are all committed to this process being carried out as soon as possible. Despite this desire by the members of the Ad Hoc Committee, it is worth recalling the agreement that our countries reached before the forty-sixth session of the United Nations General Assembly and that was clearly reflected in the Assembly's resolution 46/38 C, operative paragraph 2, namely to intensify the work of the Conference with a view to completing in 1992, and not specifically this summer, the negotiations on the draft Chemical Weapons Convention. This commitment should be in all our minds in this final stage of the negotiations. The delegation of Cuba considers that if an additional, serious and responsible effort is made by all the members of the Ad Hoc Committee to cater to the just concerns of a large proportion of the countries belonging to the Committee, we could successfully discharge the responsibility assigned to us and do so this summer.

Cuba's specific proposals for amendment of the draft Convention prepared by the Chairman of the Ad Hoc Committee on Chemical Weapons have already been introduced and circulated by the secretariat, so I am not going to refer to them in detail on this occasion. I shall just mention those that we deem most relevant.

(Mr. Morales, Cuba)

The issue of herbicides and the prohibition of their use as a method of warfare has for many years been a position of the Cuban delegation and must be clearly reflected in the final text of the convention to be adopted. This position of Cuba is in turn shared by a large number of States members of the Conference and hence there is a need to find an appropriate solution that will reflect their legitimate interests within the framework of the convention. We are not seeking the establishment of controls or of limits on the production of herbicides by any country, much less the subjecting of production facilities to inspections of any kind. Nor are we seeking the banning of the use of herbicides for certain well-defined military needs. What we want is to prevent a repetition in future, elsewhere in the world, of monstrous scenes of past wars because there is no international instrument that categorically prohibits all possibility of the recurrence of such tragedies.

As they are for the rest of the delegations here present, the structure, composition and decision-making process of the Executive Council are issues of special interest for the Cuban delegation. The debates on these issues within the Ad Hoc Committee have been highly complex and the understandings reached appear to be close to a consensus, but an additional effort is required to achieve it, as can be clearly seen from the proposals that have been submitted on this matter by several countries, including mine.

Cuba, which has been taking an active part in the intensive consultations that have been held on this subject in the course of the year, remains convinced of the fairness of its claim that the executive body of the future Organization should not follow the undemocratic model found in other international organs whereby a distribution of posts in these bodies is imposed upon us, guaranteeing a very small number of countries a permanent presence there - a privilege which spares them from being subject, as the others are, to a democratic election process. The delegation of Cuba would like to reiterate at this meeting of the Conference that it cannot support such an arrangement, especially if the idea is reflected in the text of the Convention.

At the beginning of this year, on the occasion of a plenary meeting like this one, there burst into our work two ideas considered by many delegations, including ours, as contrary to the central goal of the agreement we are trying to achieve and harmful to the early and satisfactory conclusion of the negotiations which are taking place within the Ad Hoc Committee on Chemical Weapons. I am referring to the idea of extending the deadline for the destruction of chemical weapons arsenals and the corresponding production facilities and to the idea of converting such facilities for use in carrying out activities not prohibited by the Convention. While it is not unaware of the reasons which, in the view of some delegations, justify the concerns accompanying the proposals connected with these two ideas, the delegation of Cuba, as it has already stated on previous occasions, is not in a position to support the inclusion of provisions on these issues in the text of the future Convention.

(Mr. Morales, Cuba)

There is a matter of extreme delicacy for Cuba and which we have already referred in the context of our negotiations on the future Chemical Weapons Convention. Today, on precise instructions of my Government, I should like once again to refer to this matter. As is known, the United States Government possesses, against the will of the Government and the people of Cuba, a naval base on territory usurped from our country in the eastern part of the island, where troops are stationed and there are stocks of military supplies and equipment without it being possible to rule out the presence of nuclear and/or chemical weapons for which the Government of the United States bears sole responsibility and must therefore assume all the consequences deriving from that fact. Because of this, the Government of Cuba cannot assume any commitment or any responsibility within the context of the aforementioned Convention that relate to the possible presence of chemical weapons or production facilities for such weapons on the territory of the said base or to their future fate. I am making this statement on behalf of my Government to be duly reflected in the official records of the Conference.

Once the negotiations on the draft Chemical Weapons Convention are concluded, the Conference on Disarmament will have to take up a series of issues of vital importance for the continuation of its work as the sole multilateral disarmament negotiating forum. For this reason, permit me to set out some ideas and suggestions of a general nature on these questions with the sole purpose of helping in the search for the most appropriate solutions to each of them during the process of informal consultations to be carried out to this end.

The amendment of the agenda of the Conference is, in the opinion of the Cuban delegation, one of the most important, serious and delicate questions we shall have to examine with a view to finding a compromise solution reflecting the interests of the majority of the members of the international community and not the desires of a small group of countries. On the new agenda of the Conference we should therefore keep those items which enjoy wide support and what we must do is find a way that will lead us to solutions consistent with the interests of the majority, demonstrating the necessary political will to this end and refraining from obstructive practices which have to date impeded the conclusion of agreements on matters identified as priority issues by the international community. I am referring most particularly to the items related to nuclear disarmament. The question of the total prohibition of nuclear tests is, in the opinion of the Cuban delegation, one that ought to appear in any version of the agenda of this Conference, since the set of problems associated with it is the essential prerequisite for any comprehensive and irreversible process of genuine multilateral negotiations on nuclear disarmament. The draft comprehensive test-ban treaties that have been put before the Conference on Disarmament will be useful in this endeavour.

Another item that in our view will also have to be kept on the agenda of the Conference is that relating to the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. It is an indispensable minimum requirement that the countries that do not possess nuclear weapons should receive, as an elementary

(Mr. Morales, Cuba)

gesture of reciprocity, assurance that they will not be subject either to threats or to attacks with such weapons. The assurances offered in this respect must be unconditional and legally binding. The ideas which have been put forward so far in the Ad Hoc Committee on this item contain the embryo of the solution to the problem.

Other items related to the nuclear disarmament process remain valid and suitable for inclusion in a new agenda of the Conference. The definition of these items must, for practical purposes, be specific and clear; that will make possible not only the general exchange of views on these subjects, but also the identification of specific aspects on which concrete negotiations can be held.

In putting forward these ideas the delegation of Cuba is not unaware either of the changes that have occurred in the international arena or of the precise circumstances that have to date prevented progress in the work of this Conference on the issues I have mentioned. Quite the contrary. It is precisely because we are aware that the threat of a nuclear conflict, even though it has declined, has not vanished and because we are convinced that technological development will soon lead to more complete mastery, and hence to more localized and general use of nuclear weapons that we consider that the items I have mentioned require that all of us make an additional effort, a sufficiently serious effort to enable us to do away once and for all with the threat that has weighed and weighs on mankind, jeopardizing its very existence. The nuclear-weapon States bear the greatest responsibility for redressing the present inequality.

In analysing the problems involved in the possible restructuring of the agenda, the Cuban delegation appreciates that the agenda should reflect the interests of one and all. It is therefore prepared to consider proposals that are made to this end with the greatest possible flexibility.

Many other delegations have already said that the current political grouping in the Conference corresponds to an order of things that has been overtaken by events. We too are of that opinion and hence we consider that the time must be nigh when, with due deliberation, we should take up this delicate matter and find a solution to it.

Closely linked to this question is the problem of increasing the membership of the Conference. As this is a negotiating body, it is essential to maintain a membership which, by being representative, enables effective negotiations to be carried out. Any increase in the membership of the Conference should be made with due observance of the principle of equitable geographical distribution, that being understood as the proportion of the membership of the Conference on Disarmament which each of the groups to be set up would have on the basis of the total number of countries they represent and not, as now happens, a system whereby those who are the least represented paradoxically constitute the majority of the countries in the international community.

(Mr. Morales, Cuba)

This will not be the last occasion for us to refer to these items. We hope that next time we take the floor in the plenary of this Conference on Disarmament it will be to express our gratification at having achieved consensus in the negotiations to conclude the Convention on the Prohibition of Chemical Weapons.

The PRESIDENT: I thank the representative of Cuba for his statement and for the kind words he addressed to the Chair. That concludes my list of speakers for today. Does any other representative wish to take the floor at this stage.

Mr. TEFIANI (Algeria) (translated from French): Mr. President, I would like to make a brief announcement, but first I cannot allow my concern for brevity to prevent me from saying how pleased the Algerian delegation is to see you presiding over our work. I can assure you of my delegation's willing and full cooperation in the performance of your duties. As for the announcement, I would like to inform the members of the Group of 21 that a meeting of the contact group on chemical weapons will take place in Room C-108 immediately after the consultations on transparency that will follow the present plenary meeting. The purpose will be to inform them about the meeting of the Bureau of the Ad Hoc Committee on Chemical Weapons which took place this morning.

The PRESIDENT: I thank the representative of Algeria for his statement. Are there any other representatives who wish to take the floor?

Mr. RANJBAR (Islamic Republic of Iran): Mr. President, I had an opportunity to express my congratulations on your assuming the presidency of the Conference on Disarmament in late June. However, it does not preclude me from saying how happy the Iranian delegation is at seeing you in the Chair.

I took the floor to put on record some observations regarding the views expressed about the draft Chemical Weapons Convention, WP.400/Rev.1, this morning. It was stated that the proposed amendments to WP.400/Rev.1 are dangerous for the Convention and will weaken the verification system. On behalf of the Iranian delegation, as a member of the developing States who proposed some amendments to the present text, I wish to state that proposing the amendments is not dangerous. What is really dangerous at this stage of the negotiations would be the inability of the Ad Hoc Committee to achieve a consensus text. The aim of the joint efforts by a group of developing countries is to reach a compromise and finally a consensus text.

The security perception of each State could be different than others. This delicate point and the art of diplomacy should be taken into account in order to strive to find the best common security perception. In such multilateral efforts as concluding the security agreement of a chemical weapons convention, it is absolutely essential to consider the question of security on a comprehensive basis. If we want to move towards a consensus text, there is no way but taking into consideration the security concerns of the others. Once again I must emphasize that proposing amendments to the present text is not dangerous. What would be dangerous is lack of consensus, which could jeopardize the credit of the Conference on Disarmament.

Mr. DEMBINSKI (Poland): Mr. President, first of all I would like to associate myself with the congratulations addressed to you by previous speakers on the occasion of your taking the presidency of this body. I would also like to thank you for the kind words of greeting which you extended to me and to tell you how honoured I am to join this august body. I am very fortunate indeed to be joining it at the very moment when the long labours of the Conference are about to bear fruit.

I refer, of course, to the Chemical Weapons Convention. My Government is determined to do its best to contribute to this process. My delegation has already stated in the Ad Hoc Committee on Chemical Weapons its support for the last draft of the Convention, which represents, in our opinion, a fair reflection of the negotiations and the best available result of them. The effective verification system of the Convention has been and remains of key importance to our delegation. We have strived for a stronger verification regime, in particular, concerning challenge inspection. We are aware of existing differences. For this reason the proposed solutions in the draft, although not fully meeting our expectations, provide us with a reasonable and balanced compromise on a few issues where consensus eluded us. In this respect, we have to be careful not to re-open the Pandora's box which could jeopardize the adoption of the Convention because, as has been stated, the adoption of the Convention is now or never. Re-opening the discussion could lead to the weakening of the efficient implementation of the Convention by undermining the confidence the States parties should have in the compliance of others, and by weakening the deterrence against eventual violations.

On our part, we are strongly committed to the effective Chemical Weapons Convention. Its conclusion this year will undoubtedly bring on the Conference a windfall of praise, but this hopefully will be only the first successful step on the road to further disarmament agreements on which the Conference will certainly continue to progress. I feel very privileged to be joining you at this particular juncture and I hope to be able to make a contribution to the further work of the Convention.

The PRESIDENT: Are there any other representatives who wish to take the floor at this stage? I see none. That concludes the list of speakers for today.

The secretariat has distributed today the timetable for meetings to be held by the Conference and its subsidiary bodies next week. As usual, the timetable is merely indicative and may be changed, if necessary. This may be the case, as we are still considering some sections of the annual report and only one subsidiary body has concluded its work. As I noted earlier, I do hope that we will advance our work substantially on our annual report during the coming week. If there are no comments or proposals, I shall consider that the Conference adopts the timetable.

It was so decided.

(The President)

As announced at the beginning of this plenary meeting, the Conference will hold an informal open-ended consultation, in this room and with interpretation services, to consider pending questions relating to our draft annual report to the General Assembly. Immediately afterwards, another informal open-ended consultation will be held with the same services by the Special Coordinator for agenda item 9, "Transparency in armaments", Ambassador Zahran of Egypt.

Mr. von WAGNER (Germany): This is more or less under "any other business" of the meeting and I apologize for taking the floor. Nevertheless, the Ad Hoc Committee on Chemical Weapons has put forward, with the help of the secretariat, a revision 1 of this week's timetable, that is, for this afternoon and for tomorrow, and I would like to draw delegations' attention to that, since it implies that there will be not only the already scheduled open-ended consultations of the Editing and Drafting Group this afternoon from 3.00 p.m. to 5.00 p.m. but also open-ended consultations on substance of the draft Convention from 5.00 p.m. to 8.00 p.m. in Room V, and as for tomorrow, the already scheduled meeting of the Ad Hoc Committee at 10.00 a.m. will be held as already scheduled. There will be a continuation of open-ended consultations on substance from 3.00 p.m. to 6.00 p.m. and the open-ended consultations of the Editing and Drafting Group which was scheduled for 3.00 p.m. will be deferred to 6.00 p.m. I just wanted to draw your attention to that and the attention of delegations and I apologize for having taken the floor.

The PRESIDENT: Thank you, Mr. Chairman. There is certainly no need to apologize. It is, in fact, useful to the Committee to have that revision 1 drawn to our attention.

Are there any other comments then before I propose to adjourn the meeting? I see none.

The next plenary meeting of the Conference on Disarmament will be held on Thursday, 6 August, at 10 a.m.

The meeting rose at 11.40 a.m.